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# In the Supreme Court of the United States

OCTOBER TERM, 1959

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NORMAN G. ZACHARY and EDWARD J. ZACHARSKI,
PETITIONERS

*v.*

UNITED STATES OF AMERICA

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*ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT*

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## MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

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J. LEE RANKIN,
*Solicitor General,*
*Department of Justice,*
*Washington 25, D. C.*

# In the Supreme Court of the United States

OCTOBER TERM, 1959

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No. 982

NORMAN G. ZACHARY and EDWARD J. ZACHARSKI, PETITIONERS

*v.*

UNITED STATES OF AMERICA

---

*ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT*

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## MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

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The petition for certiorari in this criminal case was filed on June 3, 1960. The judgment of the court of appeals sought to be reviewed, affirming petitioners' conviction of violation of various provisions of Title 18 of the U. S. Code, was entered on March 2, 1960 (Pet. 28). A petition for rehearing was denied on March 28, 1960 (Pet. 2).[1] The 30-day period for

[1] Elsewhere in the petition for certiorari (p. 34), it is erroneously indicated that the petition for rehearing was denied on March 20, 1960.

filing a petition for certiorari, allowed by Rule 22(2) of the Revised Rules of this Court, expired on April 27, 1960. No extension of time was sought or obtained.

Accordingly, the petition for certiorari, having been filed out of time, should be denied.

Respectfully submitted,

J. LEE RANKIN,
*Solicitor General.*

June 1960

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